

Attachment D

**Resolution of Council and
the Central Sydney Planning Committee**

Resolution of Council

9 December 2019

Item 9.3

Public Exhibition – Planning Proposal – 4-22 Wentworth Avenue, Surry Hills - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

It is resolved that:

- (A) Council approve Planning Proposal – 4-22 Wentworth Avenue, Surry Hills, shown at Attachments C1-C4 to the subject report, for submission to the Department of Planning, Industry and Environment with a request for a Gateway Determination;
- (B) Council approve the Planning Proposal – 4-22 Wentworth Avenue, Surry Hills, shown at Attachments C1-C4 for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek authority from the Department of Planning, Industry and Environment to exercise the delegation of all functions under the relevant local plan making authority of all the functions under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect Planning Proposal – 4-22 Wentworth Avenue, Surry Hills;
- (D) Council approve Draft Sydney Development Control Plan 2012 – 4-22 Wentworth Avenue, Surry Hills shown at Attachment D to the subject report for public authority consultation and public exhibition together with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal – 4-22 Wentworth Avenue, Surry Hills, following receipt of the Gateway Determination;
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to Draft Sydney Development Control Plan 2012 – 4-22 Wentworth Avenue, Surry Hills, to correct any drafting errors or to ensure it is consistent with the Planning Proposal following the Gateway Determination; and

- (G) authority be delegated to the Chief Executive Officer to amend the planning proposal at Attachments C1-C4 of the subject report to incorporate the following changes:
- (i) amend the objectives and intended outcomes to refer to supporting strategic employment and enterprises uses in the District Plan's Harbour CBD strategic centre;
 - (ii) amend the 'Explanation of Provisions' to:
 - (a) incorporate a maximum building height control of RL50 across 24, 26- 28, 30-32, 34 and 36-38 Wentworth Avenue
 - (b) incorporate a maximum building height control of RL44.26 at 40 Wentworth Avenue
 - (c) require that the maximum height for 24-44 Wentworth Avenue under the clause may only be achieved if the development is for commercial premises, health services facilities, educational establishments, hotel accommodation, entertainment premises, light industry or information and education facilities; and
 - (iii) amend other sections to incorporate the proposed controls for 24-44 Wentworth Avenue including their justification in accordance with the subject report.

Carried unanimously.

X018846

Resolution of Central Sydney Planning Committee

5 December 2019

Item 7

Public Exhibition - Planning Proposal - 4-22 Wentworth Avenue, Surry Hills - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

Moved by the Chair (the Lord Mayor), seconded by Councillor Thalís -

It is resolved that:

- (A) the Central Sydney Planning Committee approve Planning Proposal – 4-22 Wentworth Avenue, Surry Hills, shown at Attachments C1-C4 to the subject report, for submission to the Department of Planning, Industry and Environment with a request for a Gateway Determination;
- (B) the Central Sydney Planning Committee approve the Planning Proposal – 4-22 Wentworth Avenue, Surry Hills, shown at Attachments C1-C4 for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 2 December 2019 that Council seek authority from the Department of Planning, Industry and Environment to exercise the delegation of all functions under the relevant local plan making authority of all the functions under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect Planning Proposal – 4-22 Wentworth Avenue, Surry Hills;
- (D) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 2 December 2019 that Council approve Draft Sydney Development Control Plan 2012 – 4-22 Wentworth Avenue, Surry Hills shown at Attachment D to the subject report for public authority consultation and public exhibition together with the Planning Proposal;

- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal – 4-22 Wentworth Avenue, Surry Hills, following receipt of the Gateway Determination;
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to Draft Sydney Development Control Plan 2012 – 4-22 Wentworth Avenue, Surry Hills, to correct any drafting errors or to ensure it is consistent with the Planning Proposal following the Gateway Determination; and
- (G) authority be delegated to the Chief Executive Officer to amend the planning proposal at Attachments C1-C4 of the committee report to incorporate the following changes:
 - (i) amend the objectives and intended outcomes to refer to supporting strategic employment and enterprises uses in the District Plan's Harbour CBD strategic centre;
 - (ii) amend the 'Explanation of Provisions' to:
 - (a) incorporate a maximum building height control of 50 RL across 24, 26-28, 30-32, 34 and 36-38 Wentworth Avenue;
 - (b) incorporate a maximum building height control of RL 44.26m at 40 Wentworth Avenue;
 - (c) require that the maximum height for 24-44 Wentworth Avenue under the clause may only be achieved if the development is for commercial premises, health services facilities, educational establishments, hotel accommodation, entertainment premises, light industry or information and education facilities; and
 - (iii) amend other sections to incorporate the proposed controls for 24-44 Wentworth Avenue including their justification in accordance with the subject report.

Carried unanimously.

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